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OMAR GHOBASHY

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ARRIVAL IN THE U.S. BY AIRPLANE

NASH: Today is September the 5th, and I am speaking to Mr. Omar Ghobashy, a lawyer, who is going to tell us something about his own experiences as an immigrant from Egypt and also, in connection with his own law practice, the experiences of other current Arab immigrants. Mr. Ghobashy, where did you come from and when did you come?

GHOBASHY: I came in 1949 from Egypt. I came as a member of the Egyptian Mission to the UN, and I married an American citizen and as a result of that marriage I lost my diplomatic job in the United States subsequently. I can tell you a little bit of my experience. I immigrated to this country after a long study and long examination of my particular problem. Upon losing my job because we were not allowed to marry an

American and because they had serious problems with the United States at the time, the Egyptian government I mean, and because my political views were formed which were not necessarily acceptable with the Egyptian government and because of my long studies in this country. I had required my Ph. D. and two master's degrees, one from New York University and one from Columbia. So, all these aspects were unfavorable towards returning to Egypt. And I merely calculated the examination not determined by any factors, emotions or any sudden decision. I had actually different in the sense that I had a choice to return to Egypt if I wished and I decided not to while no immediate future before me in the United States. I had my Ph. D. in international law. I was destined to be either in the diplomatic service because that was where my training was or go into teaching in the university. But I decided to go back to the law school and get my law degree to go into law practice. And upon acquiring my citizenship I became an attorney, private practice and specialized interestingly enough in defending American Indians, something that was really a subject of a very long article in some of the Arab papers and Egyptian papers, saying that a former Egyptian is defending the American Indian rights and so forth, which is an example of the freedom a person can have in this country in not only enjoying the freedom but defending the freedoms of others without any interference by any governmental organization. As a matter of fact, many of the cases I had were against government, many number of cases against the United States Government and the State of New York and so forth. And

further, I represented a number of people for immigration. I am an immigration lawyer among other things and I come in contact with these people who desire to remain in this country. Some of them are refugees, particularly from Palestine and other places, and I learn an awful lot about the conditions in these different countries from which these people came and when they settled here how successful they had become and how happy they are. Now, in my own case, of course, I was very reluctant because I didn't want to make a quick decisions, but these people they already have, particularly those who have no other place to go back to. Palestinians, for instance, who are refugees. The Latin Americans particularly have no economic opportunities in their countries. They are very happy to come here and get good jobs and establish careers. Now, as far as the Egyptians, for instance, most of them are engineers, doctors, the cream of the society needs (?) would be amazed to know many times I go out to doctors and they ask me if I know this Egyptian doctor or that Egyptian doctor or very well-known or famous as the best in their field and so forth. In Boston, we heard that there is a very prominent Egyptian Harvard lawyer and we know also psychiatrist and top engineers and inventors and so forth. And this is recent because Egyptians did not start coming to the United States until after, late after the new law of the immigration came into effect and allowed professional to come to this country. I would believe that mostly was 1960s, 1965 maybe and after. And people settled and bought homes here, they were established families. Of course, we have also the old generation

of Egyptians who settled in this country, were mostly sailors which jumped ship and stayed here and married Americans and went into business. Some of them set up restaurants, became quite successful and so forth. And most of these people I came in contact with, particularly the Arabs, are law abiding. You find very rarely people involved in trouble with the law. Once in a while you get a criminal case, but it is so rare it just--you be surprised to get one. Some of the cases that we had, an occasional old-fashioned type of father shooting his daughter if she has taken dope or something which is one such case pending now in New Jersey. But, this is a rare exceptions and this is also something that people have not shaken themselves out of the habits of the old country or try to discipline a child in such a violent manner. Or you find someone accused of a little sex crime of some sort which is bordering on the disorderly conduct type. But, other than that you find no crimes at all as far as the Arab community is concerned. Of course, the older generations of Arabs that I come into contact with are Lebanese, Syrians-Lebanese that are very, very well-established. Millionaires. Some of them are millionaires. We know some families in Connecticut and New York who are just so rich it is just incredible. And these people now have (?) so much with the United States that they really don't have no feeling of the political problems or even interest in the political problems of the Middle East. And this is common because, you know, I am taking my own case, you get so much associated and interested in the internal problems. I am more affected by the tax laws and

more affected by elections and so forth that I won't be so much concerned with what happens in Egypt and what goes on. Of course, we sometimes, we as Arab community, we get involved in more or less in discrimination type cases. I'm personally President of an association called the "Association for the Prevention of Discrimination against Arabs." With this we have set that up just as a result of recent measures taken by the government which we find discriminatory against Arabs. Particularly with regard to the immigration. This (?) came into effect in August of last year as a result of the Arab terrorist activities in Europe. And we feel that we condemn the activities and we are against it and we don't think that all Arabs should be singled out as part of activities of a few people engaged in. And that's why we set up this organization. Defended a number of Arabs who have been subjected to harassment and things. And, of course, in a free society you can do that. You can't do that in any other place. And that is what we are working with and the set-up available to us. And we want to make sure that the Arab community is always treated as has been in the past equally as other nationalities. This is--we are very naturally--I am well established now. I don't want to feel so well established that I want to divorce myself from helping others. I have been helping the Indians for a long period of time, over fifteen years. And many times at great sacrifices, many times without a fee. And now I think the time has come up to come into the other areas of defending the Arabs because there is some claims of discrimination which we feel like we should, as attorneys, have an

obligation to do and help. I think we have made some corrections and I think that the certain areas of the federal government is receptive and stated the same thing. We have some cases to which we recommended to the Consumer Rights Commission. We have, possibly some civil rights cases that we will bring in the federal courts and so forth. We want to make sure that as other communities have eliminated discrimination, the Negroes, Jews, and so forth, we as Arabs now feel like we should work into that area and I am sure that we are going to have the support of other minorities. I had support of a Jewish organization when I was defending the Indians and they knew I was of Arab origin. There was nothing to it. They know when you work on a cause and you feel it is a just cause. You find that all communities are supporting you. Negroes were supporting the Indians. When we had all the problems, the Arab community had their problems, we had the civil liberty supporting us, mostly Jewish lawyers volunteering to support our cause. So we don't find any barrier when it comes into the area. It is just a common thinking. The common aspiration of the people and we wanted less government interference in the life of the individual. And we found many people support our position in that fact. Now, sometimes you feel really there are some (?) in the country. I personally don't find any discrimination. I belong to two country clubs. Some of it which they claim that there is some discrimination against other communities or minorities, but I have not been discriminated against. I am accepted, I am invited to these people's homes. They come to my home. As a matter of fact, I join

other clubs also which they claim are restricted. We live in Westchester County, Larchmont. We have a nice home. We really have been, sometimes you feel a little bit guilty of being accepted in society and enjoying the American life and everything. And that's why we feel a sense of trying to help others who are less fortunate. In the midst of discrimination, well, right after the Munich attack by some Palestinian commandos during the Olympic games, President Nixon made an announcement that he wants to protect Israeli citizens in the United States. And for this reason they promulgated certain measures. That is when the FBI, the Immigration, State Department, we didn't know these measures because it was not published, the Federal Register or any other publication, however, the Washington Post wrote a leading article explaining there had been measures against Arabs in this country. To screen all Arabs what they call. And this was called operation "Bulldog."

NASH: It was a secret operation?

GHOBASHY: It was a secret operation. It was completely unknown to us and we thought it was in violation of the Public Information Act which was required the government to reveal these type of operations. Particularly the effect and the interpretation of law and the operation of the law and the application of immigration law.

Subsequent to these, the President came and said during the election time that he would continue these measures because of the protection of people who come to General Assembly. This was in the Assembly in September until December. So, other article appeared in the Christian Science Monitor and even the New York Times. We felt then from a number of students, Arab students, mass deportations and exclusions and difficulty getting visas and screening. FBI going to all Arab nationals and talking to them early in the morning or late at night without any authority by law. These people had not committed any crime or are not under investigation. They were just law abiding people just going about their studies. Further, they were getting information from Social Security of anybody who got a job in violation of his status to use that as a weapon against him either to be an informer or to use that as a weapon against him in case he refused to cooperate with them, whatever their endeavors. To give them information on where other Arabs are or so forth. Well, as a result of this, then, we had a group of people, concerned people, and we got together and we decided to set up this organization. Not only for these measures, but in the future if we

decide to prevent other acts of discrimination such as unemployment, which we hear a lot about, and derogatory remarks made against Arabs and impression of them such a blood thirst type like we did, especially the American Indian a long time ago. So, when we started these things and we got the numerous cases in which we have found violation of the immigration law by the immigration officers. The concentration on the (?) of these Arabs. We know of one case in which they sent to the Grand Jury unnecessarily, sent one Egyptian professor who was teaching at Alfred University, before the Grand Jury in Buffalo, and the man wa so disgusted with the whole situation, his wife was candidate for Ph. D. and she was an exchange visitor, and she has no problems and none of them had any problems with immigration laws, however, they got so fed up and so disgusted they wouldn't even finish their requirements. And she just left the country, went to Kuwait to teach in Kuwait. We so notified the Immigration Service I intend to write a letter to Mr. Richardson, the Attorney General on this particular case, using the unauthorized use of the judicial system to heighten this operation against the Arabs. Many other cases in which

they tell the Arab students, for instances, particularly the Palestinians, that you have to have a valid passport and they said well, he will have to apply to his government. And his government takes about eight months to get the passport valid. It takes a long time. So, they tell him to come back when you have your passport and when he comes back they say you are out of status. So that you are really using the techniques of the Immigration to force people to be out of status and to force deportation. And there have been difficulties for people, returning students for instance. They find out they have worked here, even normal type of work on campus which they have never bothered with. They use that as an excuse. We don't want you to come back. We also found that in--they deported the husband of a pregnant woman. Of course, I didn't have the case, some other lawyer had the case, but the wife came to me the day he was supposed to leave. They got him a piece of paper from Jordan, even they lost his passport. The man didn't have a choice to leave voluntarily to any country of his choice. He had no choice but to go to Jordan because it is the only country that can give him a piece of paper to leave. So they tried to rid the country of

all Arab nationals, particularly the students. Now we found as a community--our community found that this is not only discriminatory, but it is very dangerous to the Arab-American relationship because we like to have more students here because at least they come in contact with Americans. And they know the American way of life and when they go back, hopefully they become friends with Americans. And if we are restricting their peers just because a few people have committed some acts of violence, then the result is that these people have to go study in Eastern Europe. Or those who have been subjected to this harassment will be hostile to this country when they go back, some of these are the future leaders of these countries. These are the future prime ministers, prime ministers and so forth. Many of the people who are in power now were students with me. I know Arabs. We know so many of them. You would be amazed to find out that whatever reflection that these people have got while they are in this country, this is what is going to carry out if they have a complex. He is going to have it against this country and we are going to suffer. These are the countries that have the wealth, they have the oil, they have the future in their

hands. These are the young people who are going to be leading these countries. And we have to treat them in a different way, you know. Of course, their countries is alright, the policeman can come in knock at their door in the middle of the night , but we tell them America is different. I have never - when I came to this country one of the greatest things that I admired here is that I said I had never come in contact with a policeman. In the sense that, you know, they have no right to come to my home or knock at my door in the middle of the night or ask me questions or anything. I never had seen the authorities of the policeman. Always in the courts I have had them on the other side, and I always questioned them very strongly, see if they have done any misconduct or any fabrication of evidence or anything like this. Because this is not a totalitarian country, but when it tears into something of that sort, here is a secret operation done by the President as they say, the Watergate investigation, something came out as we tried to have Arab saboteurs arrested and so forth, and that's why we need to have, what do you call it, the plumbers operations or whatever activities they have conducted. And I am glad that this matter is in the open now. And

people are disgusted with it. The American public is disgusted with it, as the American public will be disgusted with whatever secret measures that they have never revealed. And every time we ask them to tell us what measures you have, they say there are no such measures. We know they have measures. They said, "Look in the operation manual." It is not there, but many people privately have told me that they exist. Some officers under cross-examination have admitted the existence of these measures. People who have been interviewed and interrogated have admitted the existence of these measures. After the murder of the Australian Diplomat in Washington, thousand of Arabs were asked to give an alibi for their presence during the time the man was murdered. Now, these people are not suspects, they don't have to account--if you are not suspected of the crime, for an alibi is only a question asked for a criminal. Someone who commits a crime. He has to give an alibi. Not someone innocent, has to give an alibi. To actually accuse someone of a crime its time and murder, this could have been a common murder by a robbery or anything, you know. Nobody knows. But, you get all this, even asked the pregnant woman to give an

alibi for her time. Now this pregnant woman obviously was not, could not have been involved in the murder. This is in New York and they are up in Washington and so forth. Luckily that they were able to account for their time. If someone who did not account for his time then he was subjected to a lot of questions. Now we have difficulties, of course, over the administration of immigration. We always encounter that. Naturally you come against people with different views and different prejudices and so forth. For an Arab first of all, you don't have the many Arabs represented in the immigration administration with immigration laws. Well, you have the same many Jews for instance. They say a Jew appearing before them will probably have a better treatment than an Arab. Many times we ask people, a judge to disqualify themselves because if he is a member of Zionist organization or associated with how could he possibly sit in judgement in a case when which we say, that the man cannot go to Israel, for instance, because of discrimination. How could he, with his convictions, possibly decide a case like this.

NASH: Do they disqualify themselves?

GHOBASHY: They refuse to disqualify themselves, but one of the judges was highly criticized by the higher court. When we took the case up, it didn't say he should have disqualified himself, but in fact of his background and, so forth was, as a matter of fact, a government lawyer suggested that the case be sent back to another judge, however, we won on appeal, this type of cases. This particular judge, after the close of evidence, went down to the Israeli Embassy and got some material showing that they treated Arabs nicely, and we said that this was highly irregular that he does something and use that evidence as part of his decision, you see. And we say this in the same sense that if you have an Arab judge and you have a Jew before him who was claiming discrimination he is for instance, I think the man should have disqualified himself. But, then the argument is in how are we going to do this when we have all judges except one of Jewish faith. Well, we don't say that all of these Jewish judges are (?). I know of at least one I would love to have my cases before him because he is a highly qualified man who is completely detached from the problems. But, then you get some when you know in your heart and you know in soul questioning that he has certain convictions against Arabs that is impossible to shake them. And you get one that you have numerous cases with him reversed. He was highly--he couldn't possibly understand or believe an Arab and so forth. You get this highly emotional thing, and get in the courts, too. You get in the courts people privately will say, oh he is an

Arab, he represents Arabs and so forth, you know. Michael lives here who are all--I have three Jewish partners and I send them into the courts to defend the Arabs and, of course, sometimes they find it quite amusing because they get all these remarks and so forth, you know, Arab client. But, we have been successful in our cases. We don't find any particular problems in there. We are very careful in the selection of the jury first since we like to--they prefer even if they have an Arab client, it depends on if it is a special interest case, they prefer to pick out the jury because they feel like no matter, he is only going to feel prejudiced against an Arab. He will be more liberal in deciding the issue. They decide that, so that is their decision to make, you know. Depends on the other side, you see. But I am talking about my own experiences in the things. There is not as much discrimination as used to be in the past. Before it was really, it was really terrible. Ten years ago Immigration Service was just, it wasn't a very happy event to go represent an Arab. It was something that you knew that you were going to have troubles. And we still have traces of that trouble, but you got a lot of neutral officers now and lot more educated officers. You see the most important thing is education. I remember I had--there was a Negro officer in the Immigration in New York and why he was so prejudiced against Arabs. It was incredible. He was thinking of the word slave traders and so forth and after a number of cases with him and we talked to him several times and presented some cases to him on discrimination and refugees and so forth and the man

understood the Arab problems. He became so sympathetic it was incredible. Unfortunately, he died, you know. I would have had so many cases with him. But after numerous representations to him he understood the problems so thoroughly that the refugee cases were just decided, just like that after he said he knows. Now, what the problem we have here is you have so many different officers. They are not familiar with the problems of different countries and you submit the case to them and then you have to try to start educating them and they wouldn't understand the problem anyhow. You submit masses of material to them and they have no time to read it, they don't even have the ability to understand the problem. And they make the wrong decisions and then you have to take them to the Division Commissioner, appeal them and the Division Commissioner normally, in the majority of the cases, will reverse the District Director because there is a man also, probably a second generation immigrant. He is of Greek origin and he probably understands the problems of the Middle East better than these people who are deciding these cases. And I will say, no, not just to be bragging a little bit, but the percentage of success in appeals in my cases is so high that either they know that the immigration people are doing something wrong or that I can't see that we are doing a perfect job because naturally we select the appeals. We don't take an appeal that--you know we don't appeal every case. We appeal selective cases. But, if the percent is so high, have it one hundred percent with one particular judge which I have claimed he is prejudiced, you see. And I have it always one hundred percent

in the refugee cases. because they will turn down every refugee case automatically with the standard statement that if you settle in another country you can't be a refugee. And we try to tell them, what is settlement? The one time they tell me, man married an American, married a girl from Honduras, therefore he had "settled," but he stayed about eighteen months so I says, "Suppose he was living with this woman, or had a mistress instead of marrying, then he wouldn't have been settled." "Now, because he is married he is settled. How could the man settle when he has no residency, he has no status, he has no thing?" So we come into the area of settlement they wish to try, they accept the refugee, but they try to say that they have settled. So we got into all these different problems. We have cases also of people from far remote places that has Eritrea for instance, a number of people don't know that there is problems exist between Eritrea and Ethiopia. And so we submit refugees. We do a lot of political asylum and refugee cases here because, of course, it falls back on my training in the UN and my experience in political science and reading, you know, in these areas. So, more familiar than other lawyers in that particular area. You get the feel of the people. You get the problems, you know, you try to explain it to them. You say what is discrimination. I had this Armenian girl. I claim that she was discriminated if she goes back to Egypt. I know it, and nobody else have know. She had other lawyer before. Here is start of discrimination. This girl is experienced operator, telephone operator. They have a shortage of telephone operators in Egypt

today. You can't find them. She speaks fluent languages, four or five languages. She work all her life in that field. she goes and get a job and they tell her she can't get a job now. Isn't this discrimination in employment? You can't get employment. Discrimination in housing, discrimination (?), in worship. She can't go to a--our churches are closed down. The missions are closed and so forth. So you list all these different, not necessarily (?) pick up a man or woman and beat them up and put them in jail, that's physical, you know, persecution. But, the law does not speak (?). But, that is how it is done.

NASH: Thank you very much Mr. Ghobashy.